

Proscription in Maryland. Speeches of the Hon. Montgomery Blair, as president of the Anti-Registry Convention and to the legislature of Maryland, delivered 24th & 25th of January, 1866.

PROSCRIPTION IN MARYLAND.

SPEECHES OF THE HON. MONTGOMERY BLAIR, AS President of the Anti-Registry Convention, TO THE CONVENTION AND TO THE LEGISLATURE OF MARYLAND, Delivered 24th & 25th of January, 1866.

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SPEECH OF Hon. MONTGOMERY BLAIR, MADE AT THE ANTI-REGISTRATION CONVENTION *That met in Baltimore, Md., on the 24 th of January, 1866.*

Gentlemen of the Convention: I return you my sincere thanks for the honor you have done me, in calling me to preside over this important Convention. It is an honor entirely unanticipated, and, therefore, I am entirely unprepared to make any sufficient acknowledgments, or to go, to any extent, into the discussion of the questions which you are called here to deliberate upon. I regard it as one of the great occasions upon which a free people are called together to take action for the interests of themselves and their posterity. We have passed through a most trying rebellion. We have passed through it successfully. We are still a united people, and I hope we will remain so in all

Library of Congress

time. [Applause.] It is natural that, in a struggle which engaged men's passions, as this struggle has engaged the passions of our people, when it ceased there should be still some remains of bitterness in the hearts of men who have been combatants. But it is not the character of the American mind to continue useless bitterness—to inculcate and deliver from father to son, through generations, hatreds and useless animosities. It is not the common sense, nor the common humanity of our nation, to indulge in such feelings. But this subject, its cause and character, it does not become me here now to discuss. We have other matters before us. It is enough to say that it is over—we recognize that it is over, and as a people of common sense, and of good feeling, it is our duty to our fellow-citizens of all persuasions, however their sympathies may have been engaged in the past, to meet them with conciliation and good feeling, and strive together for the honor and glory and prosperity of our good old Commonwealth. Through this controversy it has not been my pleasure to mingle among a more honorable class of men than I see before me; [applause] men who are characterized in all their walks of life as good neighbors, good friends, good fathers, good sons; men of substance in the community, animated by a common spirit of amity to make their efforts work for the good of the country. Yet a large proportion of those who are here—men who have added, in times past, honor to our country, filling distinguished offices, and are yet able to do as great service hereafter—I say there are numbers of those honorable men who are to be proscribed, who are not to have their share in the deliberations for the common good of their country, for whose welfare they feel, I believe, as earnestly as any other portion of the community. [Great applause.] Among the men with whom I have been trained, we have gone upon the maxim of making a good fight, whilst we were at it, and, when the fight is over, of being friends afterwards. I struggled for the truth, as I understood it, and no man can pretend to say that I have faltered in doing what I thought it was my duty to do. But I should be less than a man if, when that conflict is over, and men now say we are for the country—that there is no longer?? disunion party in the country—if I should indulge in a?? bickerings or attempt to proscribe those men and not allow them to share in the common rights of the country.

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But, it is not a matter of feeling; it is a matter of principle. The President of the United States has said that we must trust the people with their Government. [Applause.] That is the principle I go upon. When we have got to the period when we cannot trust the people with their Government, that is an end of all government of this nature. And he applies that to the Southern States 5 where the rebellion has been existing, and where all men, whether they concurred in the original policy of secession or were drawn into it by their sympathies with their brethren, have been arrayed against the Government. He says to his fellow-citizens, "You must trust those men with the management of their local governments and give them their share in the affairs of the General Government." *A fortiori*, if this can be said of the Southern rebellious States, it can be said of the State of Maryland. And yet, here in Maryland, more than one-half of our white population are denied a share in the government of the country.

Everybody agrees that our troubles are over—General Grant, General Sherman, and Governor Andrew, in a late message to the members of the General Assembly of Massachusetts. And let me tell you here that I have great respect for Governor Andrew. He is one of the sincere men of the country. He says that everybody in the South has upheld secession, but that now it is a thing of the past. Such is the sentiment of the men who have mingled in the war, and of the disinterested men who have looked on from a distance. Why, then, are our people to be disfranchised? It is to hold political power, [loud applause and hissing,] in defiance of the great principle which underlies our whole form of Government—that the minority may rule the majority. And they have another scheme in view—to perpetuate that . They do not anticipate that they can keep forever??e-half of the country from sharing all power in the Government; but they anticipate keeping it long enough to force in as an element of political power, the black race. [Long continued applause, and cries of "That's the idea."]

That is they will hold power over us and other Southern States by present appliances till the blacks are inducted to be managed by the Freedmen's Bureau, and absolutely

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controlling the whole of the States in which slavery has existed, and so the Union. It is a very large scheme, conceived with very great skill, and by very adroit and ambitious men. Having this conception of the matter, I have felt it my duty to separate myself, in my political action, from the party with which I had been voting during the war, and join another party and help it to bring the country together—I mean the Democratic party—[Enthusiastic cheering.]—that Democratic party which it is charged by our opponents is to be restored to power if these Southern States are to have their rights of franchise. If they had no higher motive for exerting themselves in behalf of the Southern States, I go with them without regard to their motive, because that is my object, and I want to see it secured. The other party, acting upon the same party interests, seek to keep those States out, because they apprehend they will be voted down. It made a great hurrah among my friends of the Union party in Maryland, that I have adopted this opinion and have acted upon it under the existing circumstances. And the gentlemen with whom I had been associated, some of whom I had been instrumental in electing to Congress, have reproached me for having left them and gone to speak for the Democratic party in New York. Well, what have they been doing? They have been voting with the Democrats in the House of Representatives. They have found that the Radicals who predominate in the Union party, under the discipline of old Thad. Stevens, who drives them where he wills, look to the negro as the element to control the Government, as Mr. Phelps and John L. Thomas, Jr., who represent the constituencies of Baltimore, have now to vote with the Democrats all the time.

As early as '62, in a letter which I addressed to a Union meeting in New York, at the Cooper Institute, I treated the proposition then started for the purpose of inaugurating this negro regime as another form of disunion, and not less criminal than that which we were fighting to put down. Afterwards, at Rockville, in my own county, I made a speech which brought upon me the anathemas of the whole Radical faction, and concentrated upon me their wrath from that time to this. And in a late struggle within the Union party of Maryland the present Governor of the State took sides with me against the late Hon.

Library of Congress

Henry Winter Davis, and we triumphed in nominating and electing him Governor of the State. But our triumph—what does it amount to? [Great laughter.] Under the driving of this party, and the influence which has driven nearly all the so-called Conservatives in the House of Representatives to vote with Thad. Stevens for negro suffrage, our Governor has yielded. Disfranchising the people of Maryland is for the same interests that Thad. Stevens is working in the House of Representatives to obtain. [Applause.] Now, my friends, Mr. Swann and all his co-laborers will find that they have counted without their host. The people of Maryland—even those who have been registered under this law—will be too honest, too patriotic, too just to their fellow-citizens to follow him and Thad. Stevens to sustain such registration. [Shouting and hissing.] I rely upon them, and I beg of you not to cast upon the mass of the Union people with whom I have been acting, and who acted with me in elevating him to power, evil looks, or suppose that they have any participation with him in his objects. We elevated him in opposition to the principles which he now assumes to dictate; and when they are approached and appealed to, and are made know where that policy leads them, you will find that they will stand by their fellow-citizens of the white race. [Loud cheering.]

There is no other political question here now. I say there can be no motive in proscribing the white race of this country but to put up the blacks. And when it is attempted to do so; when there is no other question but whether the South shall be ruled by the power at the North through the negroes, and a despotism established as fierce and formidable as that of Napoleon's, through universal suffrage—his was established that way—by degrading suffrage; by making it contemptable; by clothing 8 persons with it who are the very tools of despotism, who have never known what it is to exercise an independent thought—what other object can these aristocrats have but to supersede our form of government, in proscribing the men who made it, and whose civilization they seek to supersede. No, my friends, that is the only question; and I say you may rely upon those who acted with me in electing Mr. Swann, under the impression that he was opposed to Thad. Stevens and those people who are seeking to put down the white race of the South and supersede

Library of Congress

them with the black. This notion is not just invented. This method of regulating suffrage in the interests of power is as old as the Stuarts. King James the 2d made a trial of it—Macaulay gives the whole story in his history. In King James' time there were regulators appointed all over England, and they reduced suffrage down to the lowest ebb. In the town, of Tewksbury, they reduced it to thirteen votes, and yet a majority of the thirteen voted against King James! And so will the majority in Baltimore, however they reduce it. They have reduced it to one-third of our population—less than one-third—and they flatter themselves they have got it secure, but they miscalculate the honesty and patriotism of our people. I rely upon them, my friends. I have been acting with them, and if you will act with me and go to them and appeal to their generosity and true hearts, you will find a response.

In a somewhat long career in politics, I never have mistaken the honest impulses of the people with whom I voted. I, therefore, feel the most perfect confidence that when they are called to act, they will respond as Andrew Johnson has responded. Every well informed man sees that Andrew Johnson has been and is the providential man for this crisis. He has been identified with the people, springing from among them, having the same interests common to our whole population, a love of that Government which is the poor man's Government, and true to it in all the past, true to all its institutions. 9 You have watched him throughout the twenty-five years of his public life, and you see that he has never failed in meeting the expectations of the people. Would he, would a man born upon the Southern soil, a proud man, proud of his people, of their share in the Government in the past, would he condescend to degrade them and degrade himself by accepting power from the men who are leading Congress to-day? No. He has proved himself in the past a true Southern man, a true man to the whole country. We ask nothing but equality and will take nothing less. [Loud applause.]

I will say one word more in regard to negro suffrage. It seems to be supposed that if we carry out our democratic principles of the equality of men that we land in negro suffrage. That was not so construed by the founders of our Government. Mr. Jefferson, the author of the Declaration of Independence, never gave it that interpretation. He himself was

Library of Congress

the author of the plan of separating the races. He was always, as I have been always since I knew anything, in favor of emancipation. Not because of any injury the negro received from his connection with us, but from the injury which the laboring white man received from slavery. Mr. Jefferson taught me all I ever believed on that subject. When he negotiated the cession of the Louisiana Territory, and proposed an amendment of the Constitution which would enable him to add that vast territory to the Union, he proposed a stipulation extending citizenship only to the white races. And why? He understood that whilst we could receive Louisiana, and could receive and make citizens of all the white race that come among us, because we blend our people with them, and thus impart and distribute by social intercourse the principles upon which our Government is founded. But as we cannot amalgamate with the blacks, it is utterly impossible for us to make them participants and equals in the Government. They are a caste, and must remain so, as they cannot blend with us. Their nature is tropical too. They are the creatures of 10 despotism, as all men are who are sprung from those climates, and, by nature, go for a despotic government. As a caste, then, they will remain with us to go with the despotic classes and to overrule the white man. It is impossible therefore that they should remain among us and be participators in the Government; because, like the Indian, the Chinese, and all the foreign races that cannot amalgamate and mingle and homogenize with us, they are of alien nature and will be a distinct people. If they remain among us in our States as voters they will be the creatures of the Freedmen's Bureau, regulated from Washington to vote down the white suffrage of the South and North.

THE REGISTRY LAW.

THE RECENT CONVENTION.

A Committee at Annapolis.

THE LEGISLATURE HEARS THEM.

SPEECH OF HON. MONTGOMERY BLAIR.

Annapolis, *January* 26, 1866.

This morning, during the session of the House of Delegates, a request was transmitted from Hon. Montgomery Blair, chairman of the committee recently appointed by the Anti-Registration Convention that met in Baltimore on the 24th instant, that the committee be allowed to enter the House for the purpose of presenting certain memorials from that Convention; which being allowed, Mr. Blair said—

Mr. Speaker and Mr. President, and Gentlemen of the General Assembly of Maryland
—We have been deputed on the part of a great meeting of the citizens of this State to represent to the Legislature the hardships under which many of them labor, growing out of the recently passed Registry law of the State, and the Convention, who have done me the honor to select me as Chairman, have, in the first place, instructed me to acknowledge the deep sensibility with which they have received the honor of this admission to your presence.

Whatever may be the decisions of this body in regard to the great interests which they represent, they will ever be grateful for the respect to their fellow-citizens who are laboring under this great deprivation. I am also instructed to say, in presenting these papers to the Legislature, that the people whom we represent—many 12 of whom are not laboring under the disability, but feel as if it were their own the deprivation inflicted upon their fellow-citizens—conceive that the time has come when we should have amity and peace and good feeling among the sons of Maryland; that the bitter strife which has caused so much agony and blood is at last ended, thank God! Is there any reason why we should be any longer embittered towards each other, and embittered, too, towards those further to the South, who have taken a more active part in the rebellion which has ceased? If this principle, which is established in the Constitution and by the laws of Maryland, is to be kept and enforced and adhered to, then not only, as we have argued, will the majority of the

Library of Congress

people of the State of Maryland be excluded from suffrage, but nearly every white man south of the Potomac. Can the people of Maryland, can this honorable body, acquiesce in a principle like that—the perpetual exclusion from restoration and readmission into the Union of the whole white population of the South? The principle upon which this Registry law stands excludes them all.

I have met great numbers of the leading men who have taken part in this struggle. They one and all say it is closed. And mark this, that you observe, in the history of that struggle, that the men who were instrumental in initiating it were excluded from the confidence of the Southern people long before it closed. It was only those who were dragged into it against their will who retained the confidence of the Southern people. Their Lees, and Johnsons, and Humphries, and all that class of men, who had opposed it and reluctantly were dragged into it—only these men retained the confidence of the people of the South. Mark that feature, and mark their present attitude and conduct, and you cannot fail to see that this struggle is over, and was over before Lee surrendered. Now can we, the sons of Maryland—men who have been born and bred under similar institutions and participated to so great an extent in the passions naturally kindled by this institution, and which was the leverage under which these unfortunate men were dragged into rebellion against their Government—can we, I say, with sympathy such as that, countenance by our own action the exclusion of these men from political power in this country? I appeal to you—I appeal to my fellow citizens, with an earnestness I have never had in any past political struggle—to consider seriously, as men, as Americans, as Southern men, what a principle you are establishing, what a stamp you are putting upon your own kindred, what a plea you are giving for men who may want to deny your own rights, for you to deny the same rights to others. So much for the great considerations that appeal to the heart. And to me that wisdom which comes from the heart is the most precious. It is inspired.

Let us look at this in another aspect, as a merely legal question. We thought we had found the great instrument, and cried, “Eureka!” when we discovered the method of having a written Constitution for government. A written Constitution; which should be made in

Library of Congress

times of peace, when men's passions were asleep, which should embody the wisdom of history and lay down the limitations under which government should be conducted. In these written instruments we have prescribed rules, with a view to avoid the exasperated passion consequent upon civil war, and party strife. Bills of attainder and *ex post facto* laws, unlimited proscription of political opponents, had taught our American fathers the necessity of limiting power, so that when one party succeeded the other it should not be heralded by carrying the leaders of the opposition to the block. You read the history of the great families of England who have conducted the wars and controversies there, and you see how success has been followed with these terrible executions and proscriptions. They taught our fathers to put in their Constitutions a limitation upon the power of legislative bodies and conventions, so that they should pass no *ex post facto* law or bill of attainder. I know very well that the 14 Supreme Court of this State have decided that this Registry law is no violation of the Constiitution of the United States in these particular features. They have declared, in substance, that the oath we complain of is a qualification, and not a punishment for previous political conduct. Now, with great deference to the wise and good men who occupy the Supreme Bench of our State, looking to its history and the debates which led to it, I think it is not a qualification in the sense that they say it was, that is, similar to the qualification that excludes the negro from voting. It was notoriously enacted as a punishment for treason, and for sympathizing with treason. The court were bound to take notice of that fact. It was on the face of the record. But upon that point I propose to admit, having the feelings of respect I have for that tribunal, that there was room for debate. But they say—what is all-sufficient for the purpose I have here—that if it was punishment, it was illegal and wrong. Now, I appeal to you; I appeal to every man who hears my voice; I appeal to the nation, whether the object was not punishment. That is indisputable—that it was done for punishment of treason, and for sympathizing with it, justified in the beginning, maintained to the end, maintained in public and in private, for the purpose of disqualifying men because they had committed these acts. The Legislature may take notice of that fact, that this law was unconstitutional, although the Judges, being bound to take that construction of law, if possible, which is consistent with the Constitution,

Library of Congress

may not be at liberty to put that construction upon it. All the lawyers, and there are many in this body, will say that this is not a fanciful distinction. We all know that acts of the Legislature may be unconstitutional because of the purpose which they have in view, although the judiciary may not be able to reach them. It has been always maintained by a great party in this country, that a tax upon commerce, with a view to foster manufactures, was unconstitutional; that there was no power given to the General VS 77?

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